



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/702,619	11/07/2003	Masaki Shimamura	016891-0861	8499

22428 7590 05/10/2006

FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

PHAM, TUAN

ART UNIT PAPER NUMBER

2618

DATE MAILED: 05/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/702,619	Applicant(s) SHIMAMURA, MASAKI	
	Examiner TUAN A. PHAM	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 9, 11, 13-15, 17 and 19-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 9, 11, 13-15, 17 and 19-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/14/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/13/2006 has been entered.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 03/14/2006 has been considered by Examiner and made of record in the application file.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-3, 9, 11, and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peng (Pub. No.: US 2002/0197965) in view of Lahteenmaki et al. (U.S. Pub. No.: 2002/0042291, hereinafter, "Lahteenmaki").**

Regarding claim 1, Peng teaches a cellular phone comprising (see figure 2):

a first casing that includes a display unit provided on one surface thereof (see figure 2, first case 11 include a display, [0002]),

a second casing that is pivotable with respect to the first casing, the second casing including a plurality of key pads (see figure 2, second case 12 includes a keypad, [0002]); and

a pivot that enables the first and second casing to be placed in a closed position and in a plurality of open positions to thereby provide for a folding type cellular phone (see figure 2, cases 11 and 12 are connected by a hinge, [0002, 0018]).

It should be noticed that Peng fails to teaches a plurality of attachments each having a substantially similar shape as the first casing and each of which is configured to fit over the first casing to thereby envelop the first casing, and wherein an operational state of cellular phone is automatically set to one of a plurality of possible operational states, based on which of the plurality of attachments is fitted over the first casing. However, Lahteenmaki teaches a plurality of attachments (see figure 6a-6e, plurality of attachments, col.4, [0033]) each having a substantially similar shape as the first casing (see figures 4a-4b, the attachment is the same shape with mobile device 1) and each of which is configured to fit over the first casing to thereby envelop the first casing (see figure 2a, attachment cover 5 is fitted on top and cover the first housing of mobile device 1), [0025], and wherein an operational state of cellular phone is automatically set to one of a plurality of possible operational states, based on which of the plurality of attachments is fitted over the first casing (see figures 4a-b, 5, 6a-e, the mobile device 1

is detected different attachment cover when is attached to the first housing 2, [0032-0035]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Lahteenmaki into view of Peng in order to provide various user interfaces can be changed in the communication device and also provide a plurality of function to the user as suggested by Lahteenmaki at column 1, [0006].

Regarding claim 2, Lahteenmaki further teaches each of the attachments includes an opening on one surface thereof, for allowing the display unit of the first casing to be viewed from an exterior position when the attachment is fitted over the first casing and wherein the respective opening of each of the attachments has a same size as the display unit (see figure 2a, transparent of over 5, display 4, [0023]).

Regarding claim 3, Lahteenmaki further teaches an entirety of the first casing is fitted over by any one of the attachments (see figures 4a-b, 6a-e).

Regarding claim 9, Lahteenmaki further teaches a part of the display unit includes a function of a touch panel, and wherein the control unit controls the touch panel (see figure 4a-b, [0030]).

Regarding claim 11, Lahteenmaki further teaches the cellular phone wherein the front surface and a back surface of the first casing includes at least one of a recess portion and a protruding portion for attaching the attachment securely to the first casing when the attachment is fitted over the first casing (see figure 6a, connector 18, [0033]).

Regarding claim 13, Lahteenmaki further teaches control unit recognizes

attachment of any one of the attachments and a type thereof, and executes a control operation after confirming a predetermined entry (see figure 5, processor 11, [0031-0035]).

Regarding claim 14, Lahteenmaki further teaches any one of the attachments is detached, the control unit returns the setting conditions for the cellular phone to original ones (see figure 2a, [0018-0021]).

5. Claims 15, 17, 19, and 29-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peng (Pub. No.: US 2002/0197965) in view of Snyder (U.S. Patent No.: 6,389,268), and further in view of Lahteenmaki et al. (U.S. Pub. No.: 2002/0042291, hereinafter, "Lahteenmaki").

Regarding claim 15, Peng teaches an attachment (see figure 3, attachment 20) attached to a cellular phone that includes a first casing (see figure 2, first case 11) and a second casing (see figure 2, second case 12) and a pivot mechanism provided between the first and second casing to allow the first and second casing to pivot with respect to each other (see figure 2, first case and second case are connected by the hinge, [0002, 0018]), the attachment comprising:

It should be noticed that Peng fails to teach the housing of the attachment includes: a first exterior surface having an opening provided thereon for enabling a display unit located on the first casing of the cellular phone to be viewed when the attachment is attached to the cellular phone, and a second exterior surface positioned opposite to the first exterior surface, wherein an opening is provided between the first

and second exterior surfaces of the attachment to thereby allow the attachment to be fitted over the first casing of the cellular phone. However, Snyder teaches the housing of the attachment includes: a first exterior surface having an opening provided thereon for enabling a display unit located on the first casing of the cellular phone to be viewed when the attachment is attached to the cellular phone (see figure 2, figure 3, first wall 33, display 14, cradle 30, col.3, ln.5-38), and a second exterior surface positioned opposite to the first exterior surface, wherein an opening is provided between the first and second exterior surfaces of the attachment to thereby allow the attachment to be fitted over the first casing of the cellular phone (see figure 2, figure 3, first wall 33, second wall 34, display 14, cradle 30, col.3, ln.5-38).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Snyder into view of Peng in order to easily view a display panel as suggested by Snyder at column 2, lines 27-33.

Peng and Snyder, in combination, fails to teach a housing of the attachment shaped the same as the first casing of the cellular phone, a function unit which performs a predetermined function, and a control unit that controls the function unit and which changes an operational state of the cellular phone when the attachment is fitted over casing of the cellular phone. However, Lahteenmaki teaches a housing of the attachment shaped the same as the first casing of the cellular phone (see figure 2a, attachment cover 5, first housing 2), a function unit which performs a predetermined function (read on game function, phone function, touch panel), and a control unit that controls the function unit and which changes an operational state of the cellular phone

when the attachment is fitted over casing of the cellular phone (see figures 4a-b, 5, 6a-e, the mobile device 1 is detected different attachment cover when is attached to the first housing 2, [0032-0035]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Lahteenmaki into view of Peng and Snyder in order to provide various user interfaces can be changed in the communication device and also provide a plurality of function to the user as suggested by Lahteenmaki at column 1, [0006].

Regarding claim 17, Lahteenmaki further teaches a touch panel (see figures 4a-b).

Regarding claim 19, Lahteenmaki further teaches the opening of the attachment has a predetermined shape that is the same as a shape of the display unit provided on the first case (see figure 2a, transparent of over 5, display 4, [0023]).

Regarding claim 29, Lahteenmaki further teaches further comprising a terminal, which receives a supply of electric power from the cellular phone (see figure 7, battery 19).

Regarding claim 30, Peng further teaches a folding phone (see figure 1).

Regarding claim 31, Lahteenmaki further teaches a touch screen (see figures 4a-b).

Regarding claim 34, Snyder further teaches the opening provided between the first and second exterior surfaces of the attachment has a width that is slightly greater than a width of the first casing of the cellular phone, and wherein the opening has a

length that is slightly greater than a length of the first casing of the cellular phone (see figure 2, figure 5), and Lahteenmaki further teaches plurality of attachments (see figure 6a-e).

Regarding claim 32, Peng teaches a cellular phone having a first casing and a second casing, a second casing pivotable attached to the first casing (see figure 2, first case 11, second case 12, [0002]).

It should be noticed that Peng fails to teach case-like shape with a first exterior surface, a second exterior surface opposite the first exterior surface, first and second sidewalls, and an opening provided within the case-like shape. However, Snyder teaches such features (see figure 2, figure 3, first wall 33, second wall 34, col.3, ln.15-38).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Snyder into view of Peng in order to easily view a display panel as suggested by Snyder at column 2, lines 27-33.

Peng and Snyder, in combination, fails to teaches a plurality of attachments each having a substantially same width and height as the attachment, one of the attachments is fitted over the first casing to thereby attach the one of the attachment to the cellular phone, and wherein an operational state of cellular phone is automatically set to one of a plurality of possible operational states, based on which of the plurality of attachments is fitted over the first casing. However, Lahteenmaki teaches a plurality of attachments (see figure 6a-6e, plurality of attachments, col.4, [0033]) each having a substantially same width and height as the attachment (see figures 4a-4b, the attachment is the

same shape with mobile device 1) and one of the attachments is fitted over the first casing to thereby attach the one of the attachment to the cellular phone (see figure 2a, attachment cover 5 is fitted on top and cover the first housing of mobile device 1), [0025], and wherein an operational state of cellular phone is automatically set to one of a plurality of possible operational states, based on which of the plurality of attachments is fitted over the first casing (see figures 4a-b, 5, 6a-e, the mobile device 1 is detected different attachment cover when is attached to the first housing 2, [0032-0035]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Lahteenmaki into view of Peng and Snyder in order to provide various user interfaces can be changed in the communication device and also provide a plurality of function to the user as suggested by Lahteenmaki at column 1, [0006].

Regarding claim 33, Lahteenmaki further teaches a function unit which performs a predetermined function (read on game function, phone function, touch panel), and a control unit that controls the function unit and which changes an operational state of the cellular phone when the attachment is fitted over casing of the cellular phone (see figures 4a-b, 5, 6a-e, the mobile device 1 is detected different attachment cover when is attached to the first housing 2, [0032-0035]).

Regarding claim 35, Lahteenmaki further teaches the first casing of the cellular phone includes a display unit of a predetermined shape, and each of the attachments includes an opening provided on the first external surface thereof, the opening having the predetermined shape to enable the display unit to be viewed externally when any

one of the attachments is fitted onto the first casing (see figure 2a, transparent of over 5, display 4, [0023]).

Regarding claim 36, Snyder further teaches the second exterior surface extends in a direction orthogonal to the first and second sidewalls with a gap provided for a portion of the second exterior surface (see figure 3).

6. **Claims 20-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peng (Pub. No.: US 2002/0197965) in view of Snyder (U.S. Patent No.: 6,389,268), and further in view of Lahteenmaki et al. (U.S. Pub. No.: 2002/0042291, hereinafter, "Lahteenmaki") as applied to claim 15 above, and further in view of Newman et al. (Pub. No.: US 2002/0022499, hereinafter, "Newman").**

Regarding claim 20, Peng, Snyder, and Lahteenmaki, in combination, fails to teach the attachment is arranged on a backside of the cellular phone. However, Newman teaches such features (see figure 4, display 3 can be attach on the back side of cellular).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Newman into view of Peng, Snyder, and Lahteenmaki in order to provide various user interfaces can be changed in the communication device and also provide a plurality of function to the user as suggested by Lahteenmaki at column 1, [0006].

Regarding claim 21, Lahteenmaki further teaches a transparent portion of a predetermined (see figure 2a, col.3, [0023]).

Regarding claim 22, Lahteenmaki further teaches the transparent portion is an opening portion (see figure 2a, col.3, [0023]).

Regarding claim 23, Lahteenmaki further teaches a transparent plate is formed in the transparent portion (see figure 2a, col.3, [0023]).

Regarding claim 24, Lahteenmaki further teaches the transparent portion is located at a position (see figure 2a, col.3, [0023]), and Newman teaches a display unit on a back of the cellular phone (see [0039]).

Regarding claim 25, Lahteenmaki further teaches the transparent portion corresponds to a part of the display unit (see figure 2a, col.3, [0023]).

Regarding claim 26, Lahteenmaki further teaches grooves provided on an interior surface of the attachment, wherein the attachment is engaged onto the cellular phone by coupling of the grooves of the attachment to recesses provided on an exterior surface of the first casing of the cellular phone (see figure 6a, connector 18, [0033]).

Regarding claim 27, Lahteenmaki further teaches wherein the attachment is fastened to the cellular phone by means of a screw (see figure 6a, connector 18, [0033], it is obvious that the connector 18 can be replace by a screw).

Regarding claim 28, Lahteenmaki further teaches recesses provided on an interior surface of the attachment wherein the attachment is attached to the cellular phone by coupling of the recesses of the attachment to grooves provided on an exterior surface of the first casing of the cellular phone (see figure 6a, connector 18, [0033]).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Pham whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2618
May 6, 2006
Examiner

Tuan Pham

Supervisory Patent Examiner
Technology Center 2600

A handwritten signature in black ink, appearing to read 'Matthew Anderson', with a long horizontal flourish extending to the right.

Matthew Anderson